

**FILED**

FEB 11 2005

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA**

**U.S. DISTRICT COURT  
CLARKSBURG, WV 26301**

**UNITED STATES OF AMERICA,  
Plaintiff,**

**v.**

**Criminal No. 1:05CR4**

**DANIEL WILSON TESTERMAN  
Defendant.**

**GOVERNMENT'S RESPONSE TO DEFENDANT'S  
TWO MOTIONS TO CONTINUE**

Now comes the United States of America, and Thomas E. Johnston, United States Attorney for the Northern District of West Virginia, by Sherry L. Muncy, Assistant United States Attorney, and responds that it has no objection to the defendant's motion to continue the pre-trial hearing scheduled for March 22, 2005 at 12:15 p.m. in the above-styled matter. The government further responds that it has no objection to the defendant's second motion to continue the trial of the above-styled matter currently scheduled for March 28, 2005 at 9:30 a.m.

Respectfully submitted,

UNITED STATES ATTORNEY  
Thomas E. Johnston

By:

Sherry L. Muncy, AUSA

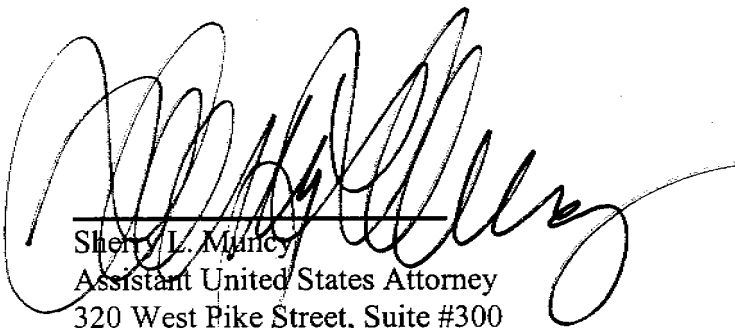
CERTIFICATE OF SERVICE

I, Sherry L. Muncy, Assistant United States Attorney for the Northern District of West Virginia, do hereby certify that a copy of the foregoing GOVERNMENT'S RESPONSE TO THE DEFENDANT'S TWO MOTIONS TO CONTINUE was served upon counsel for the defendant, Daniel Wilson Testerman, by first class mail addressed to:

George J. Cosenza  
Cosenza & Merriman, PLLC  
515 Market Street  
P. O. Box 4  
Parkersburg, WV 26102.

Dated:

Feb. 11, 2005



Sherry L. Muncy  
Assistant United States Attorney  
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